

Response under 37 C.F.R. 1.116

Applicant: Ray A. Walker

Serial No.: 10/044,476

Filed: Jan. 10, 2002

Docket No.: 10019374-1

Title: METHOD AND APPARATUS FOR TRANSFERRING INFORMATION BETWEEN A PRINTER PORTION AND A REPLACEABLE PRINTING COMPONENT

REMARKS

The following remarks are made in response to the Final Office Action mailed June 29, 2004, in which claims 1-21 were rejected. With this Response, no claims have been amended. Claims 1-21 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Walker (U.S. Patent No. 6,302,527) in view of Hay (U.S. Patent No. 6,239,879).

The Examiner asserts that claims 1-21 differ from Walker only in that Walker “does not disclose that the radio frequency interface and level sensor are disposed within the interior space of the ink reservoir and at least partially surrounded by ink.” Hay is cited as disclosing, at column 2, lines 27-34, “Contactless power and communications links are established between the replaceable component and the printer engine for peripheral devices installed on or within the replaceable component. Such peripheral devices may include . . . a toner quantity sensor . . .”. In light of the quoted portion of Hay, the Examiner alleges “it is clear that Hay is suggesting that it is an equivalent combination to put a contactless communication link (i.e., radio frequency interface/sensor) either on or within the replaceable component (i.e., interior space of ink reservoir) because the same function is performed regardless of the configuration.”

The Examiner further alleges that it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Hay into the invention of Walker so that the radio frequency interface and sensor disclosed by Walker may be incorporated within the interior space of the ink reservoir. As motivation to modify Walker, the Examiner states “the benefit of providing a contactless connection system for providing power and communications coupling to a peripheral device in a replaceable printer component.” The Examiner concludes that, in light of the teachings of Hay, it is equivalent to replace the “on the reservoir” configuration of Walker with a “within the reservoir” configuration.

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The Examiner's rejection is respectfully traversed. Referring to the above-quoted portion of Hay at column 2, lines 27-34, the Applicant respectfully asserts that the Examiner is misinterpreting the teachings of Hay. Specifically, the Examiner is reading the quoted portion of Hay as if the "communication link" and the "peripheral devices" are one and the same device. They are not. **Hay only suggests that the peripheral devices (not the communication link) may be installed on or within the replaceable component. Hay does not disclose that the communication link for the peripheral device is also installed on or within the replaceable component.** In fact, when referring specifically to the contactless communication link, Hay specifically teaches that the link is mounted "on" the removable component; the possibility of mounting the communication link "within" the replaceable component is notably absent. See, for example, column 4, lines 14-16, stating "Coil 31 is mounted on the printer engine 10, while the other coil 32 is mounted on the removable component" (emphasis added); and column 5, lines 36-38, stating "Coil 61 is mounted on the printer engine 10, while coil 62 is mounted on the removable component." (emphasis added).

A full and complete reading of Hay suggests that a "peripheral device" such as a toner quantity sensor may be "in" the replaceable component. However, Hay clearly teaches the contactless communication link is "on" the replaceable component. In this regard, Hay offers nothing more than Walker. Further, references discussed previously in the prosecution of this application teach that a conductive path can be established between the interior space of a reservoir and the external surface of the replaceable component, so that communication can take place with, for example, a sensor within reservoir (see, for example, Maurelli et al., U.S. Patent No. 6,099,101). However, none of the references of record teach or disclose what is claimed in the present application. Namely, that the radio frequency interface is within the interior space of the ink reservoir.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Teaching that a "peripheral device" such as a toner quantity sensor may be installed on or within a replaceable component is not the same as teaching that a contactless communication link for

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communicating with the peripheral device could be installed within the replaceable component. For the reasons set forth above, and contrary to the Examiner's assertions, a person of ordinary skill in the art would find no motivation in Hay to position the **radio frequency interface** within the interior space of the ink reservoir, as claimed in the present application.

For at least the reasons set forth above, Applicant respectfully submits that claims 1-21 are not obvious over Walker in view of Hay, and withdrawal of the rejection under 35 U.S.C. §103(a) is requested.

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CONCLUSION

For at least the reasons set forth above, Applicant believes independent claims 1, 7, 13 and 19, and the claims depending therefrom, are in condition for allowance. Reconsideration and allowance of these claims is respectfully requested.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Matthew B. McNutt at Telephone No. (512) 231-0531, Facsimile No. (512) 231-0540, or Thomas A. Jolly at Telephone No. (541) 715-7331, Facsimile No. (541) 715-8581. In addition, all correspondence should continue to be directed to the following address:

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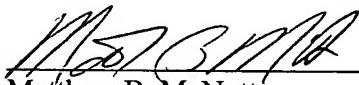
Respectfully submitted,

Ray A. Walker,

By his attorneys,

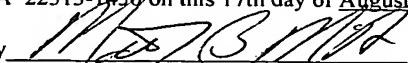
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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17th day of August, 2004.

By 
Name: Matthew B. McNutt